

15-2.1-6-13 Animal Control

(A) Definitions

The following definitions apply to this section:

- 1) "Abandonment" means the voluntary relinquishment of possession by the owner with the intention of terminating ownership but without vesting ownership in any other person.
- 2) "At large" means off the premises of the owner's property or residence while not under the control of the owner or another person by leash, cord, chain, or other device of actual physical restraint. The term does not apply when a dog, cat, or other animal is under voice control while engaged in hunting, tracking, or other verifiable training procedures.
- 3) "Dog", "cat", and "animal" includes both the male and female of all forms of dogs, cats, or other animals of any type or character.
- 4) "Owner" means any person, firm, association, entity, group, or corporation owning, keeping, boarding, or harboring a dog, cat, or other animal within the unincorporated areas of the county.
- 5) "Vicious" means with a propensity, inclination, tendering, or attitude toward or causing an unprovoked attack or assault on a human or another animal.

(B) Jurisdiction

This section, and the rules, restrictions, and punishments provided in this section apply only to an activity arising from or occurring within the unincorporated areas of the county.

(C) Control Measures

An owner shall keep the owner's dog, cat, or other animal under control at all times. An owner does not have control of an animal if the animal does any of the following:

- 1) runs at large at any time within the unincorporated area of the County;
- 2) damages or defiles the premises or property of another within the unincorporated area of the county;
- 3) barks or howls unduly, for periods of more than thirty (30) minutes, so as to disturb the quiet of the neighborhood, or any person (this clause does not apply to a duly licensed and operated kennel permitted by the County Zoning Ordinance to be operated at the location at issue, by specific zoning ruling, special use permit, or other provision of the Zoning Ordinance); or

4) bites, or attempts to bite, attack, or belligerently pursue a person.

(D) Female Dogs or Cats

A female dog or cat in estrus (heat) must be confined in a secure enclosure by its owner so that the female cannot come in contact with a male animal of its own species.

(E) Abandonment

The owner of an animal shall not abandon the animal within the unincorporated area of the county.

(F) Inoculation

A dog or cat kept, harbored, or maintained by its owner in the County, and over the age of six (6) months, must:

- 1) have a current and valid rabies inoculation; and
- 2) wear a tag at all times attached to a properly fitted collar or harness verifying the inoculation.

(G) Vicious Animals

A person shall not keep, maintain, or have in the person's possession or under the person's control within the unincorporated areas of the county, any dangerous dog or other animal with vicious or dangerous propensities toward humans or other animals. This subsection does not prohibit trained law enforcement dogs or certified trained production dogs.

(H) Penalties

A person violating this Code Section commits an ordinance violation and shall be punished by a fine of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200), together with the court costs or other assessments imposed by a court of competent jurisdiction.

A person convicted of a subsequent violation of this Code Section within one (1) year after a prior conviction shall be punished by a fine of not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500), together with the court costs or other assessments imposed by a court of competent jurisdiction.

For purposes of this Code Section, each day's violation of any term or provision of this Code Section is a separate offense.

Ordinance History:

Ord. No. PC 87-308, adopted Apr. 20, 1987, 87 COM REC 307-311; Ord. 89-352, adopted Apr. 3, 1989, 89 COM REC 349, 352-353.

Parallel Citation:

[Local Ordinances], IC 15-2.1-6-13.